

SENATE BILL REPORT

SB 5382

As of February 19, 2009

Title: An act relating to traps as they apply to mice and rats.

Brief Description: Exempting traps for mice and rats from the restrictions on traps in RCW 77.15.192.

Sponsors: Senators Morton, Jacobsen, Stevens, Swecker, Hewitt, Zarelli, King, Pflug, Parlette, Honeyford and Holmquist.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 2/19/09.

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Staff: Karen Epps (786-7424)

Background: It is a gross misdemeanor to use any body-gripping trap, which is defined as a trap that grips an animal or an animal's body part, to capture any mammal, or to use a leghold or neck snare trap to capture a mammal for recreation or commerce. Common rat and mouse traps are exempt from the definition of body-gripping traps.

The Director of the Washington Department of Fish and Wildlife (DFW) may grant permits to use certain traps in limited circumstances, including for the protection of public health and safety. Before an individual can be issued a 30-day special permit, that individual must show in writing that the problem cannot be reasonably controlled by non-lethal means. The holders of special permits are required to inspect any traps at least once daily.

Summary of Bill: This bill would exempt any trap used to capture old world and new world rats and mice from the definition of a body-gripping trap.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff Summary of Public Testimony: PRO: There is a real problem with pack rats in Eastern Washington and the common traps do not seem to work. People in Eastern Washington would like to be able to trap these rats humanely and legally.

CON: There are various issues with the trapping statutes, including problems trapping mice, rats, moles, mountain beavers, birds, and coyotes. DFW continues to deal with a number of unintended consequences following the passage of Initiative 713. The department is sympathetic to the concerns raised by homeowners trying to deal with these rats on their property. The concern with the bill is that it only deals with one small part of the overall problem. It does not address the other unintended consequences from the trapping initiative.

OTHER: This bill does not go far enough. There are problems with other species that this bill does not address. This bill does bring up yet another unintended consequence of the trapping initiative.

Persons Testifying: PRO: Senator Morton, prime sponsor.

CON: Steve Pozzanghera, DFW.

OTHER: Ed Owens, Hunters Heritage Council and Citizens for Responsible Wildlife.